

H.C.R. 190 - (Montford): Congratulating the Texas State Artists for 1994 and 1995 upon their selection.

RECESS

On motion of Senator Truan, the Senate at 12:44 p.m. recessed until 7:45 a.m. tomorrow for the Local and Uncontested Bills Calendar.

APPENDIX

REPORTS OF STANDING COMMITTEE

The following committee reports were received by the Secretary of the Senate:

May 15, 1995

STATE AFFAIRS — C.S.H.B. 2151, C.S.H.B. 2599

SENT TO GOVERNOR

(May 15, 1995)

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|------------|-----------|
| S.C.R. 128 | S.B. 1009 |
| S.C.R. 139 | S.B. 1029 |
| S.C.R. 140 | S.B. 1148 |
| S.B. 114 | S.B. 1158 |
| S.B. 701 | S.B. 1168 |
| S.B. 971 | S.B. 1212 |
| S.B. 1196 | S.B. 1336 |
| S.B. 344 | S.B. 1454 |
| S.B. 526 | S.B. 1492 |
| S.B. 659 | S.B. 1637 |
| S.B. 832 | S.B. 1682 |

SEVENTY-FIRST DAY

(Continued)

(Tuesday, May 16, 1995)

AFTER RECESS

The Senate met at 7:45 a.m. and was called to order by Senator Harris.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time, and passed (vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill):

H.C.R. 69 (Wentworth) Designating the Texas State Arts and Crafts Fair in Kerrville as the official arts and crafts fair of Texas. (vv)

H.C.R. 91 (Zaffirini) Granting the National Hispanic Institute permission to use the house and senate chambers July 26-28, 1995. (vv)

H.B. 172 (Barrientos) Relating to notary public fees. (31-0) (31-0)

H.B. 654 (Henderson) Relating to permitting a sequestered juror to vote on election day. (31-0) (31-0)

H.B. 795 (Turner) Relating to reinstatement, purchase, and transfer of service credit between the Employees Retirement System of Texas and the Teacher Retirement System of Texas. (31-0) (31-0)

H.B. 1226 (Armbrister) Relating to the regulation of liquefied petroleum gas. (31-0) (31-0)

H.B. 2020 (Bivins) Relating to the salary of a judge of a county court at law in Potter County. (31-0) (31-0)

H.B. 2093 (Whitmire) Relating to applications for emergency detention of certain persons at risk of harming themselves or others because of the effects of mental illness or substance abuse. (31-0) (31-0)

H.B. 2283 (Montford) Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System. (31-0) (31-0)

H.B. 2624 (Montford) Relating to the appraisal and ad valorem taxation of certain types of personal property; providing penalties. (31-0) (31-0)

Senator Montford offered the following committee amendment to the bill:

Committee Amendment No. 1

H.B. 2624, House engrossment, is amended as follows:

(1) On page 3, line 16 of the House engrossment, insert the following after the word "means": "a towable recreational vehicle or".

(2) On page 3 of the House engrossment, delete all language beginning with and including the comma after the word "highway" on line 19, and ending with and including the word "vehicle" on line 21.

(3) Insert the following after page 5, line 9 of the House engrossment:
"(14) Towable recreational vehicle" means a non-motorized vehicle that is designed for temporary human habitation for recreational, camping or seasonal use, and;

(A) is titled and registered with the Texas Department of Transportation through the county tax assessor-collector;

(B) is permanently built on a single chassis;

(C) contains one or more life support systems; and

(D) is designed to be towable by a motor vehicle."

(4) On page 7, line 10 of the House engrossment, insert the following after the comma following the word "records": "at the location for which the general distinguishing number has been issued.".

(5) On page 8, line 6 of the House engrossment, delete the word "person" and insert the word "dealer" after the word "A".

(6) Insert a new Section 5 of the bill, to read as follows and renumber all subsequent sections of the bill accordingly:

"SECTION 5. Section 152.002(b), Tax Code, is amended to read as follows:

(b) 'Total consideration' does not include:

(1) a cash discount;

(2) a full cash or credit refund to a customer of the sales price of a motor vehicle returned to the seller;

(3) the amount charged for labor or service rendered in installing, applying, remodeling, or repairing the motor vehicle sold;

(4) a financing, carrying, or service charge or interest on credit extended on a motor vehicle sold under a conditional sale or other deferred payment contract;

(5) the value of a motor vehicle taken by a seller as all or a part of the consideration for sale of another motor vehicle; [or]

(6) a charge for transportation of the motor vehicle after a sale, or

(7) motor vehicle inventory tax.

The committee amendment was read and was adopted by a viva voce vote.

Senator Montford offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend **H.B. 2624** as follows:

(1) In SECTION 1 of the bill, Section 23.12(f), Tax Code (House engrossment, page 1, line 9), strike "23.12A" and substitute "23.121 [~~23.12A~~]".

(2) In SECTION 2 of the bill, Section 23.12A, Tax Code (House engrossment, page 2, line 2), strike "23.12A" and substitute "23.121 [~~23.12A~~]".

(3) In SECTION 2 of the bill, Section 23.12A(f), Tax Code (House engrossment, page 6, line 17), strike "23.12B(1)" and substitute "23.122(1)".

(4) In SECTION 2 of the bill, Section 23.12A(f)(4), Tax Code (House engrossment, page 7, line 5), strike "23.12A(b)" and substitute "23.121(b)".

(5) In SECTION 2 of the bill, Section 23.12A(g)(2), Tax Code (House engrossment, page 7, line 20), strike "23.12B" and substitute "23.122".

(6) In SECTION 3 of the bill, Section 23.12B, Tax Code (House engrossment, page 8, line 25), strike "23.12B" and substitute "23.122 [~~23.12B~~]".

(7) In SECTION 3 of the bill, Section 23.12B(a)(2), Tax Code (House engrossment, page 9, line 4), strike "23.12A" and substitute "23.121".

(8) In SECTION 3 of the bill, Section 23.12B(a)(3), Tax Code (House engrossment, page 9, line 7), strike "23.12A" and substitute "23.121".

(9) In SECTION 3 of the bill, Section 23.12B(a)(4), Tax Code (House engrossment, page 9, line 11), strike "23.12A" and substitute "23.121".

(10) In SECTION 3 of the bill, Section 23.12B(a)(5), Tax Code (House engrossment, page 9, line 13), strike "23.12A" and substitute "23.121".

(11) In SECTION 3 of the bill, Section 23.12B(a)(6), Tax Code (House engrossment, page 9, line 17), strike "23.12A" and substitute "23.121 [~~23.12A~~]".

(12) In SECTION 3 of the bill, Section 23.12B(a)(8), Tax Code (House engrossment, page 9, line 22), strike "23.12A" and substitute "23.121 [~~23.12A~~]".

(13) In SECTION 3 of the bill, Section 23.12B(a)(10), Tax Code (House engrossment, page 10, line 3), strike "23.12A" and substitute "23.121".

(14) In SECTION 3 of the bill, Section 23.12B(a)(11), Tax Code (House engrossment, page 10, line 5), strike "23.12A" and substitute "23.121 [~~23.12A~~]".

(15) In SECTION 3 of the bill, Section 23.12B(f), Tax Code (House engrossment, page 12, line 25), strike "23.12A(g)" and substitute "23.121(g)".

(16) In SECTION 3 of the bill, Section 23.12B(l), Tax Code (House engrossment, page 15, line 24), strike "23.12A" and substitute "23.121".

(17) In SECTION 4 of the bill, Section 23.12C, Tax Code (House engrossment, page 17, line 25), strike "23.12C" and substitute "23.123".

(18) In SECTION 4 of the bill, Section 23.12C(a)(1), Tax Code (House engrossment, page 18, line 1), strike "23.12B" and substitute "23.122".

(19) In SECTION 4 of the bill, Section 23.12C(a)(2), Tax Code (House engrossment, page 18, line 3), strike "23.12B" and substitute "23.122".

(20) In SECTION 4 of the bill, Section 23.12C(a)(3), Tax Code (House engrossment, page 18, line 5), strike "23.12A" and substitute "23.121".

(21) In SECTION 4 of the bill, Section 23.12C(a)(4), Tax Code (House engrossment, page 18, line 7), strike "23.12B" and substitute "23.122".

(22) In SECTION 4 of the bill, Section 23.12C(a)(5), Tax Code (House engrossment, page 18, line 8), strike "23.12A" and substitute "23.121".

(23) In SECTION 4 of the bill, Section 23.12C(a)(6), Tax Code (House engrossment, page 18, line 11), strike "23.12B" and substitute "23.122".

(24) In SECTION 4 of the bill, Section 23.12C(b), Tax Code (House engrossment, page 18, line 14), strike "23.12A" and substitute "23.121" and strike "23.12B" and substitute "23.122".

(25) In SECTION 4 of the bill, Section 23.12C(c)(5), Tax Code (House engrossment, page 19, line 6), strike "23.12A" and substitute "23.121" and strike "23.12B" and substitute "23.122".

The committee amendment was read and was adopted by a viva voce vote.

**BILL REMOVED FROM
LOCAL AND UNCONTESTED BILLS CALENDAR**

| <u>Number</u> | <u>Senator Removing</u> |
|---------------|-------------------------|
| H.B. 1593 | Brown |

**CONCLUSION OF SESSION FOR
LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Truan, the Senate at 7:51 a.m. adjourned until 9:30 a.m. today.

**SEVENTY-SECOND DAY
(Tuesday, May 16, 1995)**

The Senate met at 9:30 a.m. pursuant to adjournment and was called to order by Senator Truan.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

(President in Chair)

The Reverend Karl A. Gronberg, Gethsemane Lutheran Church, Austin, offered the invocation as follows:

Holy, holy, holy is the Lord God—the whole earth is full of the glory of creator, redeemer, sanctifier. We come before You at the beginning of this day asking for Your gift of wisdom for all of us